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**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT : McNutt

SERIAL NO. : 10/791,020

DATE FILED : 03/01/2004

INVENTION : "GROUSER ASSEMBLY"

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

SIR:

Pursuant to 137 C.F.R. §1.8 (b), Applicant hereby petitions to withdraw the holding of abandonment in the above-referenced application. Applicant submits the following to establish that a response to the office action was timely filed.

- (1) A copy of the previously mailed correspondence (9 pages) and certificate is transmitted herewith; and
- (2) The undersigned attests to his personal knowledge that the correspondence was deposited with the United States Postal Service on the date indicated in the Certificate.

Applicant respectfully submits that the attestation and copy establish that Applicant filed a timely and complete response to the Office Action mailed 3 November 2004. Consequently, Applicant further submits that the holding of abandonment was therefore in error, and should be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick N. Burkhart".

Patrick N. Burkhart
Attorney for Applicant
Reg. No. 33,252